

**RECEIVED**

DEC 29 2009

OFFICE OF PETITIONS

Docket No.: 1617-0104P

(Patent)

2009 DEC 22 PM 4:19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Letters Patent of:

Per Kristian EIDE

Patent No.: 7,559,898

Confirmation No.: 2550

Issued: July 14, 2009

Art Unit: 3735

For: METHOD FOR ANALYSIS OF SINGLE
PULSE PRESSURE WAVES

Examiner: R. NASSER

**NOTIFICATION OF ERRONEOUS PAYMENT OF SMALL ENTITY FEES
UNDER 37 C.F.R. § 1.28 AND LOSS OF ENTITLEMENT OF SMALL ENTITY STATUS
UNDER 37 C.F.R. § 1.27(G)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully noted that the above-identified application no longer qualifies for small entity status under 37 C.F.R. § 1.27(a).

Small entity status was established with the filing of the application on **July 7, 2003**, and the small entity filing fee was properly paid. However, after the application was filed but prior to payment of the issue fee, the status of the assignee changed. The application therefore did not qualify for small entity status at the time the issue fee was paid.

It is therefore respectfully requested that the error be excused. The following items are being submitted to comply with the requirements of 37 C.F.R. 1.28(c):

12/28/2009 DALLEN 00000000 022448 10613112
01 FC:1461 790.00 DA

(1) Separate submission for each application or patent.

This request is being submitted in connection with U.S. Patent No. **7,559,898**.

(2) Payment of deficiency owed.

(i) A **\$720.00** small entity issue fee was paid on **June 16, 2008**, charged to deposit account 02-2448. Accordingly, the deficiency owed is **\$790.00**.

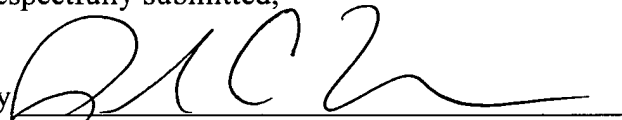
(ii) Charge **\$790.00** to deposit account 02-2448, as payment of the deficiency owed.

It is again noted that the failure to notify the U.S. Patent and Trademark Office of the change in the entity status at the time the filing fee was paid was made in error, without the intent to deceive. As it is believed that the requirements of 37 C.F.R. § 1.28(c)(1) and (c)(2) have been met, it is respectfully requested that the error be excused and that the U.S. Patent and Trademark Office forward appropriate notification to the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: **December 17, 2009**

Respectfully submitted,

By 
Paul C. Lewis

Registration No.: 43368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000